

# National Canners Association

WASHINGTON, D. C.

Information  
Letter



For N. C. A.  
Members

Membership Letter No. 52.

February 23, 1924.

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## Canned Foods Week Plans Humming.

Hitting on all six, as the automobile expression goes, and with the event only a week away, the plans for National Canned Foods Week, March 1-8, gain daily momentum and materialization. Chairman Royal F. Clark, checking up on all phases of the work, declares that this year's effort will far exceed anything in the past, and will mark a new era in country-wide canned foods demonstrations.

This seems to be borne out by the fact that printing plants have been completely swamped in their efforts to fill orders for the now famous red, white, and blue Canned Foods Week window streamers. It is expected that something like two million of these streamers will be on display throughout the country.

An amazing number of Canned Foods Week luncheons have been arranged--in fact, it appears that Chairman Clark has not overlooked a single detail. His eleventh hour appeal is for the utmost cooperation between the distributor, broker, and retailer, to make this the greatest celebration of its kind on record.

## Early Indication of Country-Wide Canned Foods Week Cooperation.

A concern comprising something like five hundred chain stores has asked for Canned Foods Week streamers. The St. Louis Wholesale Grocers Association has offered a hundred dollars in gold, twenty-five dolls for girls, and twenty-five pairs of ball-bearing skates for boys, as prizes for those writing slogans that will cause people to eat more canned foods. Everyone in the city and vicinity is eligible to enter this contest. The only restriction is that the person entering the contest must secure a label from any package of canned foods, bearing any St. Louis wholesale grocer's name. The slogan is to be written on the back of the label, and only one on each label.



Word comes to national headquarters that a large canning concern in the Middle West has spent approximately twenty thousand dollars on Canned Foods Week streamers and window display material. This concern is also sending out a picture of a sample window display, bearing the Canned Foods Week streamer, with the following suggestion:

"Twenty million housewives are going to buy more canned foods between March 1st and 8th than ever before. Newspapers, magazines, and direct Canned Foods Week advertising will send them to their grocers to buy canned foods.

"An attractive window display of nationally advertised canned foods will bring them to your store. --- (name of brand) is nationally advertised and a leading seller. Its popularity and prestige will give real drawing power to your window.

"The above suggestion is an effective way to use the material in your ---- (name of brand) display."

There is also a specially prepared card, carrying a replica of the Canned Foods Week streamer, with the slogan, "This window space given to cooperate with the grocers of our city."

#### Showing 'em how in Chicago.

As a demonstration of what may be done during Canned Foods Week, three live Chicago grocers worked out a plan which resulted in one of the most successful special sales ever launched in a retail grocery store. Just a little head work increased their canned foods sale a thousand per cent.

The Chicago Examiner tells the story as follows:

"A sales record was recently established by the three partners in a flourishing south side retail grocery business, in what is termed a 'Baker's Dozen Sale', which ran for two weeks, during which time thirteen cans of various products were offered for the price of twelve.

"This idea was first tried out by this store last fall. It proved so profitable that they decided to try it again. The last time, it was far more productive than the initial trial, they said.

"The sale included every conceivable kind of canned fruits and vegetables. A four-page announcement, given over to description of the various products, was sent to all their customers. It also carried the statement that many of the products offered could not be replaced at the same price when the current supply was exhausted.

"To suit the convenience of their trade, the grocers permitted the privilege of making up mixed dozens of two or three varieties in instances where customers could not use the 'straight' thirteen cans. The items included in this assorted order were specially marked.

"Under practically every head of standard items were listed at least six varieties at different prices.

"A number of items were listed under the head of 'Odd Specialties', which included tuna fish, lobster, salmon, etc. These products were quoted at seven per cent. below regular prices. Preserved figs, jams, jellies,



preserves, strained honey, ripe and green olives, and many other specialties were also sold at a seven per cent. reduction.

"During this sale, the store sold a total of five hundred and ten dozen canned foods. Their average normal business during a period of two weeks amounts to between forty and fifty dozen. So the increase in their sale of canned goods during this drive was close to 1,000 per cent.

"Business in all departments showed an increase of one hundred per cent. In addition to this, twenty-five new accounts were opened and three hundred new names were added to their mailing list, which gives them a total of 1,400 names."

#### Present Status of Settlement of Spoilage Claims.

Following a conference recently held in New York, participated in by the National Chain Store Grocers Association, the American Wholesale Grocers Association, the National Wholesale Grocers Association, and the Conference Committee of the National Cannery Association, a detailed statement giving the present status of the settlement of spoilage claims has been mailed to each member of the National Cannery Association. It is important that this should be received promptly and carefully studied. Any member who has not received his copy will confer a favor by advising the National Cannery Association at Washington.

#### Johnson Immigration Bill Favorably Reported.

The Johnson Bill (H.R. 6540), limiting the immigration of aliens to the United States, was reported favorably to the House, with certain amendments, on February 9.

This bill puts still further limitations on the immigration of aliens as compared with the law now in effect and bases the quota allowed for each country on the 1890 census instead of the 1910 census. Immigration of the Northern and Western countries of Europe are favored as against the Southern and Eastern countries.

#### This Time It Was Salt Water and a Galvanized Tub.

The N.C.A. has just completed the investigation of a case down in Virginia which will be interesting to its members.

One of the leading Baltimore papers recently published the report of an outbreak of alleged food poisoning involving over one hundred students in a Virginia college. The food suspected was said to be canned peas.

Upon investigation we find that neither the attending physician nor any of the teachers or students of the college thought that the canned peas were responsible and we have a signed statement from the physician indicating that the trouble was apparently due to dressed fowl which were held for some time in salt water in a galvanized tub. All the students involved in this outbreak made a prompt recovery. We have taken the matter up with the newspaper for the purpose of securing a correct statement of the facts in this case.

#### Newspaper Makes Correction.

Following a report that the illness of a man and his wife in New York had been caused by "ptomaine poisoning" from eating canned food, there was the usual investigation by the National Cannery Association. This resulted





in the Rochester paper which had carried the story correcting its original diagnosis, and announcing to its readers that the illness, in fact, was found to be malaria. Canned foods had nothing to do with the trouble.

Wisconsin Grocers Association Ordered to Discontinue  
Guarantee against Decline.

The Wisconsin Wholesale Grocers' Association, of Milwaukee, Wisconsin, its officers, directors, and members, are ordered by the Federal Trade Commission to discontinue the practice of inducing, influencing, or coercing manufacturers to guarantee their goods against price decline.

The Commission found in its investigation of the case that the respondents working in cooperation among themselves and largely through the secretary of the association, caused to be distributed to its members, bulletins containing lists of manufacturers whose contracts carried the price decline clause. It was also found that some of the bulletins issued by the association's secretary contained letters in which various members expressed themselves as disposed to push the products of manufacturers who guaranteed against decline and to withhold cooperation in the sale of competing products of manufacturers who did not guarantee against price decline. The price decline guarantee caused manufacturers to agree in the event that the price of their products was lowered to the wholesaler to return an amount equal to the difference between the price paid by the jobber for goods obtained before the price reduction, and the reduced price later put into effect by the manufacturer.

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## Supplement.

### AN OPINION BY JUDGE COVINGTON CONCERNING THE GATHERING AND DISTRIBUTION OF INFORMATION AND STATISTICS BY TRADE ASSOCIATIONS.

The following letter has been addressed to Frank E. Gorrell, Secretary of the National Cannery Association, by Judge Covington, concerning the gathering and distribution of information and statistics by trade associations:

"In your letter of January 30th last you asked my opinion whether, in view of recent court decisions and the opinion of the Attorney General of the United States in a letter of December 19, 1923, to Mr. Hoover concerning the gathering and distribution of information and statistics by trade associations, the National Cannery Association may continue to collect and distribute statistics on the general production of canned peas, corn, tomatoes, and milk as it has been doing for a number of years.

"I understand from you that at the close of the canning seasons you obtain from the cannery of each of those products a statement of their output for the purpose of computing the total production of such products in each of the States. The figures of the individual canners, I understand, are treated as confidential and under no circumstances are given to anyone. After the total production by States of each of the products has been compiled, the members of the National Cannery Association are sent copies of the production statistics. Copies are also given to the trade papers, wholesale grocers, canned foods brokers, and others who apply for them. Moreover, copies are furnished to the Department of Commerce and are usually made public through its bulletins. Copies are also filed with the Federal Trade Commission.

"You also inform me that no information concerning costs of production, shipment of products, stocks on hand and sales prices are gathered by the Association, and in fact nothing but general production statistics are gathered and distributed.

"It may be recalled that in February, 1922, some correspondence took place between the Attorney General and the Secretary of Commerce concerning the activities of trade associations and, in order to analyze the letter of December 19, 1923, of the Attorney General to Secretary Hoover, it is necessary to keep that correspondence in mind. In fact, the Attorney General himself refers to it to show that the present policy of the Department of Justice is in harmony with the views expressed by him in 1922.

"It is important to remember that the questions put to the Attorney General by Secretary Hoover in 1922 related to exchanges of information



covering details of the operations of industries going much beyond statistics merely showing the total volume of production by States in any industry. And the collection of statistics from each member of a trade association showing his volume of production and the compilation of such information by such trade association thereafter into a consolidated statement showing the total volume of production by districts was not said by the Attorney General to be illegal if associated with no other distribution of information or with no practices which might make the statistics alone, or the statistics in combination with practices, something which might be 'used as a scheme or device to curtail production or enhance prices or have the effect of suppressing competition.'

"In the recent letter to Secretary Hoover the Attorney General calls attention to the correspondence between them in 1922 and says, 'my views as to how far trade associations should be used in collecting and distributing statistical information are there set forth'. In other words, information general in character and which does not have the effect of putting one member of a trade association in possession of facts concerning the specific business of a competitor, and does not enable the members of such association to use such information to restrain trade by enhancement of prices or otherwise, may properly be distributed.

"The decree in the case of United States vs. Tile Manufacturers Credit Association, in the District Court of the United States for the Southern District of Ohio, was intended to restrain a trade association from distributing information and statistics of varied nature concerning the business of the members. Information concerning production was perhaps the least important data gathered and made use of. The effect of the aggregate information and statistics produced the illegal result which the decree is intended to prohibit.

"It must not be forgotten that the legality of the acts of a trade association is to be tested by the validity or invalidity of such acts under the Sherman Anti-Trust law, and I am clearly of the opinion that the simple gathering of the general statistics of total production of peas, corn, tomatoes, milk, and other canned food products, compiling them by States and thereafter distributing them to members of the Association and to such persons in the public generally as may desire them, is not an act in violation of the Anti-Trust law. "

(Signed)

J. HARRY COVINGTON.

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